

PSC No: 120 - Electricity  
New York State Electric and Gas Corporation  
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Superseding Revision:

#### GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

B. Definitions: (Cont'd.)

**Direct Customer ("DC"):** An Eligible Customer with 1 MW or greater of load in any hour that there is a scheduled transaction that acts without an ESCO and acts to procure Electric Power Supply solely for its own use and not for resale. A DC is subject to the requirements of this Program tariff, and the NYISO Tariffs. DCs do not have to file an application with the Department of Public Service to become eligible to participate in NYSEG's Program. DCs may pool load with a group of DCs for scheduling purposes. Each DC must continue to be individually responsible for meeting requirements placed on DCs. Such pooling may be done without applying to DPS. For the purposes of switching, the DC shall be deemed an Eligible Customer. In each section of this Program tariff, the term ESCO shall be deemed to include DCs except with respect to any regulatory requirement inapplicable to a DC.

**Department of Public Service ("DPS"):** The Public Service Commission Staff which is responsible for developing and implementing New York State regulatory and energy policies; receiving, investigating, and resolving complaints on billing, services, or other utility practices; and administering regulations issued by the Commission. (For example, ESCOs must file their initial eligibility application with the Commission's Consumer Services Division, a part of DPS.)

**Electric Power Supply:** The electricity required to meet the Eligible Customer's needs, including energy, Energy Losses, Unforced Capacity, Unforced Capacity Losses and Unforced Capacity Reserves. ESCOs/DCs are responsible for providing the full Electric Power Supply requirements of their eligible customers.

**Eligible Customer:** A customer that takes service through an account that meets the customer eligibility criteria set forth in Section 16.D.

**Eligible Industrial Customer:** An account of a customer which is coded Revenue Class 30 as defined by Division "D" of the Standard Industrial Classification ("SIC") Manual that is engaged in manufacturing (SIC Codes 20-39) or Division "B" mining (SIC Major Codes 10-14) and which does not qualify for the Industrial/High Load Factor provision within SC 2, 3 and 7 of this tariff as more particularly described herein.

**Energy Losses:** The unusable energy that results from the generation, transformation, transmission and distribution of Electric Power Supply to an Eligible Customer's meter. Unaccounted For Energy ("UFE") is also included.

**Energy Services Company ("ESCO"):** Any non-utility entity that can perform energy and customer service functions in a competitive environment, including provision of Electric Power Supply and assistance in the efficiency of its use. The term ESCO is used herein to refer to entities that are deemed eligible by the Department of Public Service to provide Electric Power Supply and associated customer service functions to end use customers in New York State.

**FERC:** Federal Energy Regulatory Commission, or any successor agency thereto.

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